IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE ACTING CHIEF JUSTICE MR. K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 20TH FEBRUARY, 2007 / 1ST PHALGUNA,1928

WA.No. 440 of 2007

(AGAINST THE JUDGMENT IN OP.1947/1998 DTD.8.1.2007)
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APPELLANT/PETITIONER:

S.VISWANATHAN,
KOCHUVEEDU,
MUTTAPPALAM,
PERUMKUZHI.P.O.,
CHIRAYINKEEZHU,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.R.ANANDAKUTTAN
SMT.M.HEMALATHA
SRI.R.S.MADHU
SRI.MAHESH ANANDAKUTTAN

RESPONDENTS/RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.

3. THE PROJECT OFFICER (COIR), CHIRAYINKEEZHU, THIRUVANANTHAPURAM.

4. THE MUTTAPPALAM COIR VYAVASAYA CO-OPERATIVE SOCIETY LTD.NO.T.705, MUTTAPPALAM, PERUMKUZHI.P.O., CHIRAYINKEEZHU, THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY.

BY SR.GOVERNMENT PLEADER SMT.K.MEERA.
BY ADV. SRI.K.P.KYLASANATHA PILLAI

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 20/02/2007,

THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN,Ag.C.J & M.N.KRISHNAN,J.

W.A. NO. 440 OF 2007

Dated this the 20th day of February, 2007

J U D G M E N T

Radhakrishnan, Ag.C.J.

The writ petition was filed by the petitioner (appellant herein) seeking for a writ of certiorari to quash Exts.P2 and P5 and for a declaration that the petitioner was not liable to remit Rs.13,250/- pursuant to Exts.P2 and P5. Ext.P2 is the order passed by the Project Officer (Coir), Chirayinkeezhu dated 19.4.1997, under Section 68 of the Kerala Co-operative Societies Act, 1969. By the said order, an amount of Rs.13.250/- was directed to be recovered from the petitioner. Aggrieved by the same, he filed an appeal before the Government of Kerala under Section 83 of the Kerala Co-operative Societies Act, 1969 which was rejected by Ext.P5 order dated 6.1.1998.

2. Learned Single Judge, by judgment dated 8.1.2007 in O.P.No.1947 of 1998, dismissed the matter without interfering with the impugned orders stating that the petitioner could not bring forth any material to discredit

the findings of the Government which were only in confirmation of the findings in Ext.P2 order.

3. We have also gone through the above orders. We also find no error in the reasoning recorded in Exts.P2 and P5 orders. Upholding the judgment dated 8.1.2007 in O.P.No.1947 of 1998, the writ appeal is dismissed.

K.S.RADHAKRISHNAN,
ACTING CHIEF JUSTICE.

M.N.KRISHNAN,
JUDGE.

Mbs/

K.THANKAPPAN, J

Crl.Appeal NO. OF 2001

J U D G M E N T

DATED:13-02-2007